

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

JAMES R. ELVERUD,

Plaintiff,

vs.

SHERIFF JASON FREDERICK,
DEBRA COLLINS, and ROOSEVELT
COUNTY JAIL ADMINISTRATORS,

Defendants.

CV 22-087-BMM-JTJ

ORDER

Plaintiff James R. Elverud filed a 42 U.S.C. § 1983 Complaint alleging violations of his constitutional rights. (Doc. 2.) Magistrate Judge John Johnston screened the Complaint and determined that it fails to state a claim for relief and should be dismissed. (Doc. 6.) Magistrate Judge Johnston provided Elverud with the opportunity to amend his Complaint. *Id.* He has not filed an Amended Complaint.

ORDER

Accordingly, **IT IS ORDERED** that:

1. Elverud's Complaint is **DISMISSED**, for failure to state a claim, as explained in the Court's prior order.
2. The Clerk of Court is directed to close this matter and enter judgment pursuant to Fed. R. Civ. P. 58.
3. Elverud's filing of this action counts as a strike against him within the

meaning of 28 U.S.C. § 1915(g).

DATED this 8th day of December, 2022.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive, flowing style.

Brian Morris, Chief District Judge
United States District Court